

**MOORE, HANSEN & SUMNER, PLLP**

AN INTELLECTUAL PROPERTY LAW FIRM  
225 SOUTH SIXTH STREET  
SUITE 4850  
MINNEAPOLIS, MINNESOTA 55402  
TELEPHONE (612) 332-8200  
FAX (612) 332-1780

**RECEIVED  
CENTRAL FAX CENTER**

**AUG 12 2004**

**OFFICIAL**

To: U.S. Patent and Trademark Office  
Fax No.: (703) 872-9306  
From: Shawn B. Dempster  
Re: Patent Application Serial No. 08/133,986; our docket no. 014-002-03-US  
No. of Pages: 23 (including cover sheet)  
Date: 11 August, 2004

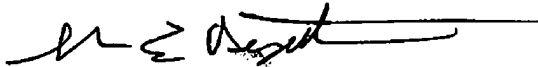
**Message:**

Attached please find a revocation of prior powers and new power of attorney to be filed for the above-identified patent. Enclosed are chain of title copies for:

1. Continuation Application 08/133,986 of continuation application 07/959,525 of parent application 07/435,809 recorded at Reel/Frame 5180/0640, a copy of which is attached.
2. Name change from Clear With Computers, Inc. to CWC Incorporated; recorded at Reel/Frame 0149261/0582, a copy of which is attached.
3. Name change from CWC Incorporated to Firepond, Inc.; recorded at Reel/Frame 0149261/0871, a copy of which is attached.
4. Assignment from Firepond, Inc. to Orion recorded at Reel/Frame 014934/0519, a copy of which is attached.

If you have any questions, do not hesitate to contact me.

Regards,



Shawn B. Dempster  
Reg. No. 34,321

IF YOU DID NOT RECEIVE ALL THE PAGES OR IF ANY OF THESE PAGES ARE NOT LEGIBLE, PLEASE CONTACT OPERATOR AS SOON AS POSSIBLE.

OUR FAX NO.: 612/332-1780

OUR PHONE: 612/332-8200

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	J. D. Johnson		
Serial No.:	08/133,986	Patent No.:	5,367,627
Filed:	10/12/1993	Issue Date:	11/22/1994
Title:	Computer Assisted Parts Sales Method		
Docket:	O14-002-03-US		

## POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST

Orion IP, LLC, assignee of record of the entire interest of the above identified application, hereby:

## Revocation of Prior Powers

revokes all powers of attorneys previously given; and

## New Power of Attorney

appoints the practitioners associated with Customer No. 22,854 as our attorneys and/or agents to prosecute and transact all business in the Patent and Trademark Office connected therewith.

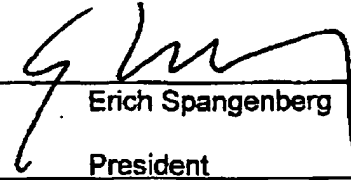
## ATTORNEY'S/AGENT'S ADDRESS IN APPLICATION

Shawn B. Dempster  
Moore, Hansen & Sumner, PLLP  
225 South Sixth Street  
Suite 4850  
Minneapolis, MN 55402-4612  
Phone 612/332-8200  
Fax 612/332-1780  
E-mail: sbdempster@mhsiplaw.com

## STATEMENT UNDER 37 CFR 3.73(b)

Orion IP, LLC states that it is the Assignee of Entire Interest in the patent application/patent identified above by virtue of an Assignment from the inventor(s) of the patent application/patent identified above. A copy of the Assignment is attached and/or was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_. The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Orion IP, LLC

  
\_\_\_\_\_  
Erich Spangenberg  
\_\_\_\_\_  
President  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

RightFax

8/3/04 7:44

PAGE 002/005

Fax Server



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



\*500003615A\*

AUGUST 03, 2004

PTAS

MOORE, HANSEN & SUMNER  
225 SOUTH SIXTH STREET  
SUTIE 4850  
MINNEAPOLIS, MN 55402

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/02/2004

REEL/FRAME: 014926/0871  
NUMBER OF PAGES: 3

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

## ASSIGNOR:

CWC INCORPORATED

DOC DATE: 10/09/1998

## ASSIGNEE:

FIREPOND, INC.  
8009 34TH AVENUE SOUTH  
SUITE 1050  
MINNEAPOLIS, MINNESOTA 55425

SERIAL NUMBER: 07435809

FILING DATE: 11/13/1989

PATENT NUMBER:

ISSUE DATE:

TITLE: COMPUTER-ASSISTED PARTS SELECTION SYSTEM

SERIAL NUMBER: 07878602

FILING DATE: 05/05/1992

PATENT NUMBER: 5493490

ISSUE DATE: 02/20/1996

TITLE: ELECTRONIC PROPOSAL PREPARATION SYSTEM FOR SELLING VEHICLES FOR SELLING VEHICLES

RightFax

8/3/04 7:44

PAGE 003/005 Fax Server

014926/0871 PAGE 2

SERIAL NUMBER: 08596575 FILING DATE: 02/05/1996  
PATENT NUMBER: 5615342 ISSUE DATE: 03/25/1997  
TITLE: ELECTRONIC PROPOSAL PREPARATION SYSTEM

SERIAL NUMBER: 08268166 FILING DATE: 06/29/1994  
PATENT NUMBER: 5625776 ISSUE DATE: 04/29/1997  
TITLE: ELECTRONIC PROPOSAL PREPARATION SYSTEM FOR SELLING COMPUTER  
EQUIPMENT AND COPY MACHINES

SERIAL NUMBER: 08550089 FILING DATE: 10/30/1995  
PATENT NUMBER: 6067525 ISSUE DATE: 05/23/2000  
TITLE: INTEGRATED COMPUTERIZED SALES FORCE AUTOMATION SYSTEM

SERIAL NUMBER: 08756122 FILING DATE: 11/25/1996  
PATENT NUMBER: 6453302 ISSUE DATE: 09/17/2002  
TITLE: COMPUTER GENERATED PRESENTATION SYSTEM

SERIAL NUMBER: 07959525 FILING DATE: 10/13/1992  
PATENT NUMBER: 5283865 ISSUE DATE: 02/01/1994  
TITLE: COMPUTER-ASSISTED PARTS SALES SYSTEM

SERIAL NUMBER: 08133986 FILING DATE: 10/12/1993  
PATENT NUMBER: 5367627 ISSUE DATE: 11/22/1994  
TITLE: COMPUTER-ASSISTED PARTS SALES METHOD

SERIAL NUMBER: 08926870 FILING DATE: 09/10/1997  
PATENT NUMBER: 6141658 ISSUE DATE: 10/31/2000  
TITLE: COMPUTER SYSTEM AND METHOD FOR MANAGING SALES INFORMATION

SERIAL NUMBER: 08290190 FILING DATE: 08/15/1994  
PATENT NUMBER: 5758331 ISSUE DATE: 05/26/1998  
TITLE: COMPUTER-ASSISTED SALES SYSTEM FOR UTILITIES

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

RightFax

8/3/04 7:44

PAGE 004/005

Fax Server

## PATENT ASSIGNMENT

Electronic Version v1.1  
Stylesheet Version v1.1

08/02/2004  
500003615

SUBMISSION TYPE:

NEW ASSIGNMENT

NATURE OF CONVEYANCE:

CHANGE OF NAME

## CONVEYING PARTY DATA

Name	Execution Date
CWC Incorporated	10/09/1998

## RECEIVING PARTY DATA

Name:	FirePond, Inc.
Street Address:	8009 34th Avenue South
Internal Address:	Suite 1050
City:	Minneapolis
State/Country:	MINNESOTA
Postal Code:	55425

## PROPERTY NUMBERS Total: 10

Property Type	Number
Patent Number:	5493490
Patent Number:	5615342
Patent Number:	5625776
Patent Number:	6067525
Patent Number:	6453302
Patent Number:	5283865
Patent Number:	5367627
Patent Number:	6141858
Patent Number:	5758331
Application Number:	07435809

## CORRESPONDENCE DATA

Fax Number: (612)332-1780

*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*

Phone: 612-332-8200

CH \$400.00 5493490

RightFax

8/3/04 7:44

PAGE 005/005

Fax Server

Email: sbdempster@mhsiplaw.com  
Correspondent Name: Moore, Hansen & Sumner  
Address Line 1: 225 South Sixth Street  
Address Line 2: Suite 4850  
Address Line 4: Minneapolis, MINNESOTA 55402

NAME OF SUBMITTER:

Shawn B Dempster

Total Attachments: 1

source=CWC to FirePond Name Change#page1.tif

411-405



2661

# MINNESOTA SECRETARY OF STATE AMENDMENT OF ARTICLES OF INCORPORATION

BEFORE COMPLETING THIS FORM, PLEASE READ INSTRUCTIONS LISTED BELOW.

CORPORATE NAME (List the name of the company prior to any desired name change)

CWC Incorporated

This amendment is effective on the day it is filed with the Secretary of State, unless you indicate another date, no later than 30 days after filing with the Secretary of State.

The following amendment(s) of articles regulating the above corporation were adopted: (insert full text of newly amended article(s) indicating which article(s) is (are) being amended or added.) If the full text of the amendment will not fit in the space provided, attach additional numbered pages. (Total number of pages including this form 1.)

## ARTICLE 1

The name of the corporation is FirePond, Inc.

This amendment has been approved pursuant to Minnesota Statutes chapter 302A or 317A. I certify that I am authorized to execute this amendment and I further certify that I understand that by signing this amendment, I am subject to the penalties of perjury as set forth in section 609.48 as if I had signed this amendment under oath.

RC Jucker 9/10/04  
(Signature of Authorized Person)

### INSTRUCTIONS

1. Type or print with black ink.
2. A Filing Fee of: \$35.00, made payable to the Secretary of State.
3. Return completed forms to:

Secretary of State  
180 State Office Building  
100 Constitution Ave.  
St. Paul, MN 55155-1299  
(612)296-2800

08921340 Rev. 2/95

572112

### FOR OFFICE USE ONLY

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED

OCT - 9 1998

James Andrew Moore  
Secretary of State

RightFax

8/2/04 7:28

PAGE 002/005

Fax Server



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



\*500003558A\*

AUGUST 02, 2004

PTAS

MOORE, HANSEN & SUMNER  
225 SOUTH SIXTH STREET  
SUITE 4850  
MINNEAPOLIS, MN 55402

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/02/2004

REEL/FRAME: 014926/0582  
NUMBER OF PAGES: 3

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
CLEAR WITH COMPUTERS, INC.

DOC DATE: 02/03/1998

ASSIGNEE:  
CWC INCORPORATED  
8009 34TH AVENUE SOUTH  
SUITE 1050  
MINNEAPOLIS, MINNESOTA 55425

SERIAL NUMBER: 07435809

FILING DATE: 11/13/1989

PATENT NUMBER:

ISSUE DATE:

TITLE: COMPUTER-ASSISTED PARTS SELECTION SYSTEM

SERIAL NUMBER: 07878602

FILING DATE: 05/05/1992

PATENT NUMBER: 5493490

ISSUE DATE: 02/20/1996

TITLE: ELECTRONIC PROPOSAL PREPARATION SYSTEM FOR SELLING VEHICLES FOR  
SELLING VEHICLES



lightFax

8/2/04 7:26

PAGE 003/005

Fax Server

014926/0582 PAGE 2

SERIAL NUMBER: 08596575 FILING DATE: 02/05/1996  
PATENT NUMBER: 5615342 ISSUE DATE: 03/25/1997  
TITLE: ELECTRONIC PROPOSAL PREPARATION SYSTEM

SERIAL NUMBER: 08268166 FILING DATE: 06/29/1994  
PATENT NUMBER: 5625776 ISSUE DATE: 04/29/1997  
TITLE: ELECTRONIC PROPOSAL PREPARATION SYSTEM FOR SELLING COMPUTER  
EQUIPMENT AND COPY MACHINES

SERIAL NUMBER: 08550089 FILING DATE: 10/30/1995  
PATENT NUMBER: 6067525 ISSUE DATE: 05/23/2000  
TITLE: INTEGRATED COMPUTERIZED SALES FORCE AUTOMATION SYSTEM

SERIAL NUMBER: 08756122 FILING DATE: 11/25/1996  
PATENT NUMBER: 6453302 ISSUE DATE: 09/17/2002  
TITLE: COMPUTER GENERATED PRESENTATION SYSTEM

SERIAL NUMBER: 07959525 FILING DATE: 10/13/1992  
PATENT NUMBER: 5283865 ISSUE DATE: 02/01/1994  
TITLE: COMPUTER-ASSISTED PARTS SALES SYSTEM

SERIAL NUMBER: 08133986 FILING DATE: 10/12/1993  
PATENT NUMBER: 5367627 ISSUE DATE: 11/22/1994  
TITLE: COMPUTER-ASSISTED PARTS SALES METHOD

SERIAL NUMBER: 08926870 FILING DATE: 09/10/1997  
PATENT NUMBER: 6141658 ISSUE DATE: 10/31/2000  
TITLE: COMPUTER SYSTEM AND METHOD FOR MANAGING SALES INFORMATION

SERIAL NUMBER: 08290190 FILING DATE: 08/15/1994  
PATENT NUMBER: 5758331 ISSUE DATE: 05/26/1998  
TITLE: COMPUTER-ASSISTED SALES SYSTEM FOR UTILITIES

KIMBERLY WHITE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

1449



# MINNESOTA SECRETARY OF STATE

## AMENDMENT OF ARTICLES OF INCORPORATION

READ INSTRUCTIONS LISTED BELOW, BEFORE COMPLETING THIS FORM.

1. Only complete the "Amendment of Articles of Incorporation" form if you are making changes to items 2-4 of the "Annual Registration" form (reverse side).
2. Type or print in black ink.
3. There is a \$35.00 fee payable to the Secretary of State for filing this "Amendment of Articles of Incorporation".
4. Return Completed Amendment Form and Fee to the address listed on the bottom of the form.

**CORPORATE NAME:** (List the name of the company prior to any desired name change)

Clear With Computers, Inc.

This amendment is effective on the day it is filed with the Secretary of State, unless you indicate another date, no later than 30 days after filing with the Secretary of State.

The following amendment(s) of articles regulating the above corporation were adopted: (Insert full text of newly amended article(s) indicating which article(s) is (are) being amended or added.) If the full text of the amendment will not fit in the space provided, attach additional numbered pages. (Total number of pages including this form 1.)

### ARTICLE I

The name of the corporation is CWC Incorporated.

This amendment has been approved pursuant to Minnesota Statutes chapter 302A or 317A. I certify that I am authorized to execute this amendment and I further certify that I understand that by signing this amendment, I am subject to the penalties of perjury as set forth in section 609.48 as if I had signed this amendment under oath.

*[Signature]*  
(Signature of Authorized Person)

If you have any questions please contact the Secretary of State's office at (612) 296-2803.

#### RETURN TO:

Secretary of State/Records Processing Section  
180 State Office Bldg., 100 Constitution Ave.  
St. Paul, MN 55155-1299

00321347a 5/07

(MINN. 651 - 6/4/97)

067088

#### FOR OFFICE USE ONLY

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED

FEB - 3 1998

*[Signature]*  
Secretary of State

RightFax

8/4/04 7:40

PAGE 002/005

Fax Server



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



\*500003702A\*

AUGUST 04, 2004

PTAS

MOORE, HANSEN & SUMNER  
225 SOUTH SIXTH STREET  
SUITE 4850  
MINNEAPOLIS, MN 55402

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/03/2004

REEL/FRAME: 014934/0519  
NUMBER OF PAGES: 4

BRIEF: NUNC PRO TUNC ASSIGNMENT (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
FIREPOND, INC.

DOC DATE: 08/03/2004

ASSIGNEE:  
ORION IP, LLC  
74785 HIGHWAY 111  
SUITE 103  
INDIAN WELLS, CALIFORNIA 92210

SERIAL NUMBER: 07435809

FILING DATE: 11/13/1989

PATENT NUMBER:

ISSUE DATE:

TITLE: COMPUTER-ASSISTED PARTS SELECTION SYSTEM

SERIAL NUMBER: 07878602

FILING DATE: 05/05/1992

PATENT NUMBER: 5493490

ISSUE DATE: 02/20/1996

TITLE: ELECTRONIC PROPOSAL PREPARATION SYSTEM FOR SELLING VEHICLES FOR SELLING VEHICLES

RightFax

8/4/04 7:40 PAGE 003/005 Fax Server

014934/0519 PAGE 2

SERIAL NUMBER: 08596575 FILING DATE: 02/05/1996  
PATENT NUMBER: 5615342 ISSUE DATE: 03/25/1997  
TITLE: ELECTRONIC PROPOSAL PREPARATION SYSTEM

SERIAL NUMBER: 08268166 FILING DATE: 06/29/1994  
PATENT NUMBER: 5625776 ISSUE DATE: 04/29/1997  
TITLE: ELECTRONIC PROPOSAL PREPARATION SYSTEM FOR SELLING COMPUTER  
EQUIPMENT AND COPY MACHINES

SERIAL NUMBER: 08550089 FILING DATE: 10/30/1995  
PATENT NUMBER: 6067525 ISSUE DATE: 05/23/2000  
TITLE: INTEGRATED COMPUTERIZED SALES FORCE AUTOMATION SYSTEM

SERIAL NUMBER: 08756122 FILING DATE: 11/25/1996  
PATENT NUMBER: 6453302 ISSUE DATE: 09/17/2002  
TITLE: COMPUTER GENERATED PRESENTATION SYSTEM

SERIAL NUMBER: 07959525 FILING DATE: 10/13/1992  
PATENT NUMBER: 5283865 ISSUE DATE: 02/01/1994  
TITLE: COMPUTER-ASSISTED PARTS SALES SYSTEM

SERIAL NUMBER: 08133986 FILING DATE: 10/12/1993  
PATENT NUMBER: 5367627 ISSUE DATE: 11/22/1994  
TITLE: COMPUTER-ASSISTED PARTS SALES METHOD

SERIAL NUMBER: 08926870 FILING DATE: 09/10/1997  
PATENT NUMBER: 6141658 ISSUE DATE: 10/31/2000  
TITLE: COMPUTER SYSTEM AND METHOD FOR MANAGING SALES INFORMATION

SERIAL NUMBER: 08290190 FILING DATE: 08/15/1994  
PATENT NUMBER: 5758331 ISSUE DATE: 05/26/1998  
TITLE: COMPUTER-ASSISTED SALES SYSTEM FOR UTILITIES

STEVEN POST, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

RightFax

8/4/04 7:40

PAGE 004/005

Fax Server

## PATENT ASSIGNMENT

Electronic Version v1.1  
Stylesheet Version v1.1

08/03/2004  
500003702

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT
EFFECTIVE DATE:	01/23/2004
CONVEYING PARTY DATA	
Name:	Execution Date
FirePond, Inc.	08/03/2004
RECEIVING PARTY DATA	
Name:	Orion IP, LLC
Street Address:	74785 Highway 111
Internal Address:	Suite 103
City:	Indian Wells
State/Country:	CALIFORNIA
Postal Code:	92210
PROPERTY NUMBERS Total: 10	
Property Type	Number
Patent Number:	5493490
Patent Number:	5615342
Patent Number:	5625778
Patent Number:	6067525
Patent Number:	6453302
Patent Number:	5283865
Patent Number:	5357527
Patent Number:	6141858
Patent Number:	5758331
Application Number:	07435809
CORRESPONDENCE DATA	
Fax Number:	(612)332-1780

CH \$400.00 5493490

RightFax

8/4/04 7:40

PAGE 005/005

Fax Server

*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*

Phone: 612-332-8200  
Email: [sbdempster@mhsplaw.com](mailto:sbdempster@mhsplaw.com)  
Correspondent Name: Moore, Hansen & Sumner  
Address Line 1: 225 South Sixth Street  
Address Line 2: Suite 4850  
Address Line 4: Minneapolis, MINNESOTA 55402

NAME OF SUBMITTER:

Shawn B Dempster

Total Attachments: 2

source=FirePond to Orion Assignment 8-3-04#page1.tif  
source=FirePond to Orion Assignment 8-3-04#page2.tif

**ASSIGNMENT**


On January 23, 2004, FirePond, Inc. ("FirePond"), a Delaware corporation, having a place of business at 8009 34<sup>th</sup> Avenue South, Suite 1050, Minneapolis, MN 55425, entered into a patent purchase agreement (the "Agreement") with Orion IP, LLC ("Orion"), a limited liability company organized under the laws of Delaware, having a place of business at 74785 Highway 111, Suite 103, Indian Wells, CA 92210.

Based upon the Agreement, FirePond hereby assigns to Orion, nunc pro tunc and effective as of January 23, 2004, the entire right, title and interest in inventions (the "Inventions") described and claimed in U.S. and foreign patents and patent application as listed on Exhibit A hereto (the "Patents"). Such right, title and interest in the Inventions and Patents, includes, without limitation:

- (i) the rights and privileges of letters patent that may be granted under any continuations, divisions, reissues, reexaminations, renewals and extensions, utility models, inventors' certificates, and designs;
- (ii) the rights to claim priority rights derived from the Patents in all countries;
- (iii) the rights to income, royalties, damages, and payments now or hereafter due or payable; and
- (iv) the right to sue, counterclaim, and recover for applicable past, present and future infringement of the Inventions or Patents.

FirePond, on behalf of itself, its successors, assigns, or other legal representatives, covenants and agrees to execute, without additional consideration, but at the expense of the Orion, such further documents deemed necessary by Orion to obtain and record title to all such patents, patent applications, or similar legal protection on the inventions in any and all countries.

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
David M. Pridham  
General Counsel and Secretary  
FirePond, Inc.

**Exhibit A****PATENTS**

Patent No.	Issue Date	Filing Date	Country
5,283,865	2/1/1994	10/13/1992	USA
5,367,627	11/22/1994	10/12/1993	USA
5,493,490	2/20/1998	5/5/1992	USA
5,615,342	3/25/1997	2/5/1996	USA
5,625,776	4/29/1997	6/29/1994	USA
5,758,331	5/26/1998	8/15/1994	USA
6,067,525	5/23/2000	10/30/1995	USA
6,141,658	10/31/2000	9/10/1997	USA
6,453,302	9/17/2002	11/25/1996	USA

**PATENT APPLICATIONS**

Serial No.	Filing Date	Country	Title
07/435,809	11/13/1989	USA	Computer-Assisted Parts Selection System





UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

TO: MERCHANT, GOULD, SMITH, EDELL,  
WELTER & SCHMIDT  
3100 NORWEST CTR.  
MINNEAPOLIS, MN 55402

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF  
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS  
- AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME -  
NUMBER REFERENCED BELOW. A DIGEST OF THE DOCUMENT HAS ALSO BEEN MADE  
AND APPEARS IN THE OFFICE'S RECORDS AS SHOWN:

ASSIGNOR: 001 JOHNSON, JEROME D.

DOC DATE: 11/10/89

RECORDATION DATE: 11/13/89 NUMBER OF PAGES 002 REEL/FRAME 5180/0640

DIGEST: ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE: 501 CLEAR WITH COMPUTERS, INC., 201 N. BROAD ST., SUITE 301,  
MANKATO, MN 56001 A CORP. OF MN

SERIAL NUMBER 7-435809 FILING DATE 11/13/89  
PATENT NUMBER ISSUE DATE 00/00/00

TITLE OF INVENTION: COMPUTER-ASSISTED PARTS SELECTION SYSTEM

INVENTOR: 001 JOHNSON, JEROME D.

RECEIVED

FEB 8 1990

U.S. PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231

MERCHANDISE &amp; GOULD



Merchant, Gould, Smith,  
Edell, Welter & Schmidt  
Professional Association  
Patent, Trademark &  
Copyright Lawyers

3100 Norwest Center  
90 South Seventh Street  
Minneapolis, Minnesota  
U.S.A. 55402  
FAX 612/332-9081  
Telex 290593 M&G Mps  
612/332-5300

John D. Gould  
Phillip H. Smith  
Robert T. Edell  
Paul A. Welter  
Cecil C. Schmidt  
John S. Sumners  
Alan G. Carlson  
Micheal L. Schwegman  
Earl D. Reiland  
Charles E. Golla  
Douglas J. Williatas  
Douglas A. Strawbridge  
Albert L. Underhill  
D. Randall King  
Norman P. Friederichs  
Michael B. Lasky  
Curtis B. Hamre  
Michael D. Schumann  
Michael L. Mau  
John A. Clifford  
Mark J. DiPietro  
Steven W. Lundberg  
Warren D. Woessner

Janet R. Westrom  
David G. Johnson  
Alan W. Kowalchuk  
Michael S. Sherrill  
Timothy R. Conrad  
Daniel W. McDonald  
R. Carl Moy  
Robert C. Freed  
Daniel J. Kloth  
Wendy McDonald  
Linda M. Byrne  
Mark D. Schuman  
Randall A. Hillson  
John P. Sumner  
Brian H. Batzli  
David K. Tellekson  
Hallie A. Finucane  
John J. Gresans  
Steven J. Keough  
Paul E. Lacy  
John L. Knoble  
Michelle M. Michel  
Philip P. Caspers  
Gregory A. Sebald  
Jane H. Arrett  
Albin J. Nelson  
Robert C. Beck  
George H. Gates

November 10, 1989

Direct dial: 612/336-4624

Honorable Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Attn: Assignment Branch

Re: M&amp;G 7709.18-US-01 -

U.S. Patent Application For:  
COMPUTER-ASSISTED PARTS  
SELECTION SYSTEM

First Named Inventor:  
Assignee

Jerome D. Johnson  
Clear With Computers, Inc.

Dear Sir:

Enclosed for recording is the Assignment of Jerome D. Johnson, in the matter of application for "COMPUTER-ASSISTED PARTS SELECTION SYSTEM", executed on November 10, 1989, together with our check for \$8.00 to cover the recording fee thereon.

Very truly yours,

John P. Sumner

JPS:jkc

Enclosures:

Assignment document  
Check for \$8.00

93076654

140 11/24/89 07435809

1 518

8.00 CK

## ASSIGNMENT

WHEREAS, I/WE, Jerome D. Johnson

residing at 904 Hubbell Avenue, Mankato, MN 56001

made certain new and useful inventions and improvements for which I/We executed an application for Letters Patent of the United States on even date herewith which is entitled COMPUTER-ASSISTED PARTS SELECTION SYSTEM

AND WHEREAS, Clear With Computers, Inc., a corporation organized and existing under and by virtue of the laws of the State of Minnesota, and having an office and place of business at 201 N. Broad Street, Suite 301, Mankato, MN 56001 (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

NOW THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, I/we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and I/we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the said Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the said Assignee, its successors and assigns.

AND, for the consideration aforesaid, I/we do hereby agree that I and my/we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to me/us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore I/we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me/us and that full right to convey the same as herein expressed is possessed by me/us.

REEL 5180 FRAME 640

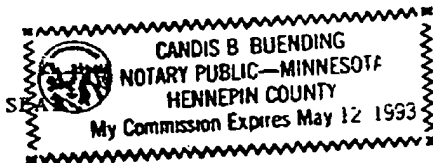
IN TESTIMONY WHEREOF, I/We have hereunto set my/our hand this 10th day of

November, 19 89.

Jerome D. Johnson  
Jerome D. Johnson

STATE OF Minnesota } ss.  
COUNTY OF Hennepin

On this 10th day of November, 19 89 before me personally appeared  
Jerome D. Johnson to me known and known to me to be the person(s)  
described in and who executed the foregoing instrument, and he duly acknowledged to me that  
he executed the same for the uses and purposes therein set forth.



Candis B. Buending  
Notary Public

STATE OF \_\_\_\_\_ } ss.  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ before me personally appeared \_\_\_\_\_  
\_\_\_\_\_ to me known and known to me to be the person(s)  
described in and who executed the foregoing instrument, and \_\_\_\_\_ duly acknowledged to me that  
\_\_\_\_\_ executed the same for the uses and purposes therein set forth.

RECORDED  
PATENT & TRADEMARK OFFICE

SEAL

NOV 13 1989

Jeffrey M. Paul  
ACTING COMMISSIONER, OF  
PATENTS AND TRADEMARK OFFICE

Notary Public

REF 5180 FRAM 641

7435809

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket Number  7709.18-US-01	Anticipated Classification of this Application: Class      Subclass	Prior Application  Examiner      Art Unit R. Bayerl      2301	
------------------------------------	---	--	--

Request For File Wrapper Continuing Application  
Under 37 CFR 1.62

Hon. Commissioner of Patents  
and Trademarks

Box FWC  
Washington, D.C. 20231

Dear Sir:

This is a request for filing a ☐ continuation-in-part  
☒ continuation ☐ divisional application under 37 CFR 1.62 of  
prior application Serial No. 07/435,809, filed on November 13,  
1989, entitled COMPUTER-ASSISTED PARTS SELECTION  
SYSTEM  
by the following inventor(s):

Full Name of Inventor	Family Name  Johnson	First Given Name  Jerome	Second Given Name  D.
Residence & Citizenship	City  Mankato	State or Foreign Country Minnesota	Ctry. of Citizen  USA
Post Office Address	Post Ofc. Address 904 Hubbell Ave.	City Mankato	State/Zip/Country MN/56001/USA

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (Note: 37 CFR 1.60 may be used for applications where the prior application is not to be abandoned.)

1. ☐ Enter the amendment previously filed on \_\_\_\_\_  
Under 37 CFR 1.116 but unentered, in the prior application.

2. ☒ A Preliminary amendment is enclosed.  
the filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

CLAIMS AS FILED			
NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$710/355
Total Claims 44-20 =	24 X	\$22/11	\$264
Independent Claims 2-3 =	0 X	\$74/37	0
FILING FEE:			\$619.00

- ☒ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by verified statement previously submitted.

3. Payment of fees:  
Attached is a check in the amount of \$ 619.00.

Please charge Deposit Account No. 13-2725.

4. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR 1.16 to 1.18 \$37 CFR 1.15(b)1 which may be required such as an extension of time in the parent application or credit any overpayment to Account No. 13-2725.

A duplicate of this transmittal is attached.

5. ☒ Amend the specification by inserting before the first line the sentence:  
This is a

☐ continuation-in-part, ☒ continuation,  
☐ division, of application Serial No. 07/435,809,  
filed November 13, 1989.

6. ☐ A new oath or declaration is included since this application is a continuation-in-part which discloses and claims additional matter.

7. ☐ Priority of application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_, is claimed under 35 U.S.C. 119.

8. ☒ The prior application is assigned of record to Clear With Computers, Inc.

9. ☒ The Power of Attorney in the prior application is to:  
Merchant, Gould, Smith, Edell, Welter & Schmidt, P.A.  
3100 Norwest Center  
Minneapolis, MN 55402

10. ☐ Also enclosed:

Address all future communications to: (may only be completed by applicant, or attorney or agent of record)

Merchant, Gould, Smith, Edell, Welter & Schmidt, P.A.

3100 Norwest Center  
Minneapolis, Minnesota 55402  
Attention: John P. Sumner

The undersigned declare further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements made jeopardize the validity of the application or any patent issuing therefrom.

Date

10/12/92

John P. Sumner  
Reg. No. 29,114  
JPS:LLV:ldl

Address of Signator:  
MERCHANT, GOULD, SMITH  
EDEL, WELTER, & SCHMIDT  
3100 Norwest Center  
Minneapolis, MN 55402

☐ Inventor  
☐ Assignee of complete interest  
☒ Attorney or agent of record

"Express Mail" mailing label number RB376467366

Date of Deposit 10-12-92

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

3

BRIAN W. STEVENS  
Printed Name

FWC

Filed

10/13/92